

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Plaintiff

v.

C-1-01-

Defendant

PRELIMINARY PRETRIAL CONFERENCE ORDER

Pursuant to Fed. R. Civ. P. 1, 16 and 26(f), the Court hereby **ORDERS** the parties to meet, confer and prepare a joint plan for the conduct of the litigation, which the **PLAINTIFF** shall file with the Clerk of Courts **on or before**_____.

The proposed plan shall indicate the parties' views on the following:

- (1) Whether the parties have complied with Rule 26(f) of the Federal Rules of Civil Procedure and, if not, why;
- (2) What limitations should be imposed upon discovery;
- (3) Whether a protective order is necessary and, if so, the parties shall draft an agreed protective order for the Court's review which shall be subject to the Court's continuing jurisdiction;
- (4) Whether the parties will consent to the jurisdiction of the Magistrate Judge or if other alternative dispute resolution would be appropriate;
- (5) Whether the suggestion of a complex case should be made;
- (6) The appropriateness and timing of summary adjudication under Fed. R. Civ. P. 12(b)(1) through (7);

(7) The appropriateness and timing of summary adjudication under Fed. R. Civ. P. 56;

(8) The appropriateness of submitting a RICO statement;

(9) The appropriateness of remand pursuant to 28 U.S.C. 1447 in removal cases; and

(10) The need for jury trial or trial to the bench.

In addition the proposed plan shall contain a proposed joint scheduling order that includes the following deadlines:

(1) The cut-off for joining other parties and amendments of the pleadings;

(2) The dates the parties will comply with Rule 26(a)(2) of the Federal Rules of Civil Procedure;

(3) The discovery cut-off date;

(4) The date by which the parties shall file a joint status report;

(5) The date for filing all dispositive pre-trial motions;

(6) The date for filing a proposed Joint Final Pre-Trial Order;

(7) The date the parties believe they will be ready for trial.

Counsel shall appear with their client and/or a representative with settlement authority for a **Preliminary Pretrial Conference** on _____, _____ at _____ in Room 801, U.S. Courthouse, 100 East 5th Street, Cincinnati Ohio.

At such conference, counsel shall be prepared to discuss any questions concerning pleadings, jurisdiction, venue, pending motions, addition of parties, the probable length of discovery, the probable length of trial, the possibility of settlement of the case, possible use of bifurcation of troublesome issues, court-appointed experts, special masters, or any other device to expedite trial. At the preliminary pretrial conference, the court will rule on all pending motions, if at all possible.

IT SHALL BE THE PLAINTIFF'S RESPONSIBILITY to provide a copy of this Order as soon as possible to opposing counsel.

IT SHALL BE THE RESPONSIBILITY OF ALL PARTIES to cooperate and comply with this Order.

Herman J. Weber
United States District Judge